

Press Release

**Office of the Kansas Securities Commissioner
618 S. Kansas Avenue
Topeka, Kansas 66603-3804**

Date of Release: August 24, 2005

Shawnee County Resident Arrested on Securities Fraud Charge

Topeka, Kansas-- Kansas Securities Commissioner Chris Biggs and Shawnee County District Attorney Robert Hecht announced today that Shawnee county resident Donald Atteberry was arrested on August 23, 2005 on felony securities charges related to the alleged sale of investments in a cattle embryo program. Charges were the result of an investigation by law enforcement officers in the Office of the Securities Commissioner. Bond is set in the amount of \$500,000.

Atteberry, 4732 SE Croco Road, Berryton, KS, is charged with :

- Engaging in business as a broker-dealer or agent without registration
- Unlawful acts in connection with the offer, sale or purchase of securities
- Violation of an order issued under the Kansas Securities Act – two counts
- Offer or sale of unregistered securities - two counts

The case is being prosecuted jointly by the Office of the District Attorney and the Office of the Securities Commissioner. The Shawnee County Sheriff's Office also assisted in the investigation.

The State alleges that Atteberry operated a cattle embryo investment program, and that he did not properly register the investment program, did not have a license to sell the investment, and violated a prior cease and desist order. The state contends that the investment program was operated as a "Ponzi scheme" where money from recent investors was used to payoff early investors.

The defendant is presumed to be innocent unless and until proven guilty beyond a reasonable doubt. Charges are only accusations.

The Office of the Kansas Securities Commissioner is charged with administration and enforcement of the Kansas Securities Act under Chapter 17 of the Kansas Statutes. The Office investigates and prosecutes securities fraud, the offer or sale of unregistered securities and the offer or sale of securities by unlicensed stockbrokers or investment advisers. For more information and investor education resources, visit <http://www.securities.state.ks.us>.